UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/932,543	09/17/1997	YASUSHI KAWAKURA	1701.39203	5429

7590 09/08/2005

JOSEPH M POTENZA
BANNER & WITCOFF
1001 G STREET NW
WASHINGTON, DC 200014597

EXAMINER	
TRAN, HAI V	

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	08/932,543	KAWAKURA ET AL.	
	Examiner	Art Unit	
	Hai Tran	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) *1-18* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152).
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 06/20/2005 have been fully considered but they are not persuasive.

Applicant argues, "The Office Action contends that Pinder' s element 1919 (in Fig. 19) indicates the number of modes there are for a process of an event (Col. 33, lines 25-45). However, Pinder' s modes are not the same as or equivalent to the display mode, printing mode, and storage mode in the instant claims. Rather, Pinder' s modes are "purchase modes" for purchasing events, in which customer rights and prices vary with the mode (col. 33, lines 26-35)... Moreover, Pinder' s table data 1913 in Fig. 19 does not indicate executable time periods of operations that correspond to a display mode, printing mode, and storage mode. There is no reason one having ordinary skill in the art would have modified such "purchase modes" to a display mode, printing mode and storage mode since the desired result relating to rights and prices of Pinder would not be achieved."

In response, the Examiner agrees with Applicant's assertion "Pinder' s modes are not the same as or equivalent to the display mode, printing mode, and storage mode in the instant claim". However, the Examiner asserts that the three Applicant' s claimed modes, i.e., display mode, printing mode, and storage mode, are met by Applicant's Admitted Prior Art (AAAP) (see AAAP Fig. 1).

In view of Applicant' remark, "There is no reason one having ordinary skill in the art would have modified such "purchase modes" to a display mode, printing mode and storage mode", the Examiner asserts that the Examiner does not rely on Pinder' s "purchase mode" to modify Applicant 's claimed modes, as argued. The Examiner believes that Applicant misconstrues the previous Office Action regarding the combination of AAAP in view of Pinder, and Applicant seems to disregard AAAP disclosure. The Office Action (page 4) indicates that AAAP is silent about the memory 1002 is configured to store applicable time information that defines executable time periods of operations respectfully corresponding to the display mode, printing mode, and storage mode of operation. AAAP is also silent about the verification unit 2004 judges, if a requested operation is executable by reading the applicable time information from the memory and referring to an executable time period corresponding to a mode of utilization indicated by the request to compare with a current time. To cure these deficiencies, the Examiner relies on Pinder' s teaching (see previous office action page 4). Thus, it would have been obvious to One of Ordinary Skill in the art at the time the invention was made to modify AAAP with Pinder by showing how an event/processing mode of Pinder is performed by reading from the memory the applicable time information that refers the corresponding event/processing mode by the request to compare with the current time of the system, for example the teaching of Pinder' s purchase event. Nowhere, the Examiner indicates in the previous Office action that Pinder' s "purchase mode" is/equates to Applicant's display mode, printing mode, and storage mode of operation.

Applicant further argue, "the Office action also indicates that Oka discloses a plurality of decoding sections (Fig. 1, numerals 106, 107, 107, 109), However, Oka' s decoding sections are not the same as or equivalent to the display data decoding unit corresponding to the display mode, printing data decoding unit corresponding to the printing mode, and storage data decoding unit corresponding to the storage mode, each configured to decode the 1st data (common data) in the memory, as recited in the claim."

In response, Applicant again misconstrues the previous Office action because what AAAP in view of Pinder does not disclose is a plurality of decoding units that arrange respectively to its corresponding plurality of independently operated AAAP' s processing unit 2008, 2010 and 2012 and perform plurality of decoding functions corresponding to the display mode, printing mode, and the storage mode. The Examiner relies on the teaching of plurality of Oka' s decoders to show that Oka teaches plurality of decoders arrange respectively to its independently processing units (Fig. 1, el. 112,114,116 and 118). Thus, it would have been obvious to One of Ordinary Skill in the art at the time the invention was made to modify the AAAP's decoding unit 2006 in view of Pinder with the teaching of the plurality of Oka' s decoders for performing its respective decoding functions, as taught by Oka, so to improve the performance of the AAAP system by selectively executing independent task on each independent decoder.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 19, 21, 23, 25, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant 's Admitted Prior Art (AAPA; Fig. 1; Specification page 2, lines 18-page 4, lines 5) in view of Pinder et al. (US 6105134) and further in view of Oka (US 5537591).

Claim 19, Admitted Applicant Prior Art (AAAP) (Fig.1) discloses an information utilization apparatus comprising:

A memory 1002 configured to store encoded 1st data which defines a plurality of modes of utilization of the 1st data; a decoding unit 2006 provided respectively corresponding to the plurality of modes of utilization and configured to decode the 1st data stored in the memory 1002; A plurality of processing units 2008, 2010 and 2012 arranged respectively corresponding to the decoding unit 2006 and configured to respectively execute operations corresponding to the plurality of modes of utilization including a display mode, a printing mode and a storage mode, using 2nd data obtained from decoding the 1st data; A judging unit (within a verification unit 2004) configured to judge if a requested operation is executable, upon a request for mode/operation execution (applicant' s specification page 2, lines 18-page 4, lines 5); and An

operation mode command issuing unit (within a verification unit 2004) configured to issue a command for action, i.e., displaying, printing and storing, to a decoding unit 2006 for decoding data, i.e., decoding display data, decoding printing and decoding storage data corresponding to the mode of utilization indicated by the request for mode/operation execution. The judging unit 2004 further performs the judging function that the requested operation is executable (applicant's specification page 2, lines 18-page 4, line 5).

Admitted Applicant Prior Art (AAAP) does not clearly disclose the memory 1002 configured to store applicable time information that defines executable time periods of operations respectively corresponding to the plurality of modes of utilization in which the verification unit 2004 judges, if a requested operation is executable, by reading the applicable time information from the memory and referring to an executable time period corresponding to a mode of utilization indicated by the request to compare with a current time.

Pinder discloses a memory (Fig. 13; Memory 1207, ROM 1219 and non-volatile memory 1209; Col. 21, lines 60-Col. 22, lines 11 and Fig. 19; Col. 33, lines 40-45 stores a delivered piece of encoded data and applicable time information (Col. 33, lines 25-45); a verification unit (Fig. 1, el. 119, and Fig. 3, DHCT) verifies if a requested operation is executable (i.e., mode of a purchase event) by reading the applicable time information from the memory and referring to an executable time period corresponding to a mode of utilization indicated by the request to compare with a current time (Col. 33,

lines 19-45; i.e., earliest start field 1923 must compare with the current time of the system in order to start the event according to its earliest start time). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Admitted Applicant Prior Art (AAAP) with Pinder so to protect transmitted information against unauthorized access (Col. 1, lines 40-45).

Admitted Applicant Prior Art (AAAP) in view of Pinder fails to shows a plurality of decoding units such as a display data decoding unit, a printing data decoding unit and a storage decoding unit that arrange respectively to its corresponding plurality of independently operated processing units 2008, 2010 and 2012. However, Admitted Applicant Prior Art (AAAP) discloses an operation mode command issuing unit (within a verification unit 2004) configured to issue a command for action, i.e., displaying, printing and storing, to a decoding unit 2006 for decoding data, i.e., decoding display data, decoding printing and decoding storage data corresponding to the mode of utilization indicated by the request for mode/operation execution. The judging unit 2004 further performs the judging function that the requested operation is executable (applicant's specification page 2, lines 18-page 4, line 5).

Oka shows a plurality independently operated processing units (Fig. 1 el. 112, 114, 116 and 118) arranged respectively corresponding to the plurality of decoding units 106, 107, 108 and 109. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Admitted Applicant Prior Art (AAAP) in view of Pinder to modifying the AAAP' s decoding unit 2006 to a plurality of independently decoders arranged respectively corresponding to the plurality of independently operated processing units, as taught by Oka, so to improve the performance of the system by selectively executing independent task on each independent decoder and processing unit.

Claim 21 is analyzed with respect to claim 19 in which Admitted prior Art in view of Pinder further discloses an operation command reserving unit (within a verification unit 2004) configured to prevent the issuance of the command (i.e., displaying, printing and storing) to the decoding unit for decoding data accordingly according to the verified applicable authorization data (Applicant's specification page 2, lines 18-page 4, lines 5).

Claim 23, an information access control method for use in an information utilization apparatus having a memory which stores information including encoded 1st data, the method is analyzed with respect to claim 19.

Claim 25, an information access control method for use in an information utilization apparatus having a memory which stores information including encoded 1st data, the method is analyzed with respect to claim 21.

Claim 27, a storage medium having program code instruction store thereon which perform information access control when executed by a

processor in an information utilization apparatus having a memory which stores information including encoded 1st data, the instruction is analyzed with respect to claim 19.

Claim 29, a storage medium having program code instruction store thereon which perform information access control when executed by a processor in an information utilization apparatus having a memory which stores information including encoded 1st data is analyzed with respect to claim 21.

2. Claims 20, 22, 24, 26, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant 's Admitted Prior Art (AAPA; Fig. 1; Specification page 2, lines 18-page 4, lines 5) in view of Pinder et al. (US 6105134).

Claim 20. Admitted Applicant Prior Art (AAAP) discloses an information utilization apparatus comprising:

A memory 1002 configured to store encoded 1st data which defines a plurality of modes of utilization of the 1st data;

A decoding unit 2006 configured to decode the 1st data stored in the memory 1002;

A data storage unit 2050 configured to store 2nd data obtained from decoding the 1st data 2006; A display processing unit 2008, a printing

processing unit 2010 and a storage processing unit 2012 configured to respectively execute operations corresponding to the plurality of modes of utilization (a display mode, a printing mode and a storage mode) using the 2nd data stored in the data storage unit 2050;

A judging unit (within a verification unit 2004) configured to judge if a requested operation is executable; and an operation command issuing unit (within a verification unit 2004) configured to issue commands for actions to the decoding unit 2006 and a processing unit 2008, 2010 and 2012 corresponding to the mode of utilization indicated by the request if the 2nd data is not stored in the data storage unit (not authorize to decode; therefore, the user could not store the encoded data) and configured to issue a command for action to the processing unit corresponding to the mode of utilization indicated by the request if the 2nd data is stored in the data storage unit when the judging unit judges that the requested operation is executable (Applicant's specification page 2, lines 18-page 4, lines 5).

AAAP does not clearly disclose the memory 1002 stores applicable time information that defines executable time periods of operations in which the verification unit 2004 judges, if a requested operation is executable, by reading the applicable time information from the memory and referring to an executable time period corresponding to a mode of utilization indicated by the request to compare with a current time.

Pinder discloses a memory (Fig. 13; Memory 1207, ROM 1219 and non-volatile memory 1209; Col. 21, lines 60-Col. 22, lines 11 and Fig. 19; Col. 33,

lines 40-45 stores a delivered piece of encoded data and applicable time information (Col. 33, lines 25-45); a verification unit (Fig. 1, el. 119, and Fig. 3, DHCT) verifies, if a requested operation is executable (i.e., mode of a purchase event), by reading the applicable time information from the memory and referring to an executable time period corresponding to a mode of utilization indicated by the request to compare with a current time (Col. 33, lines 19-45; i.e., earliest start field 1923 must compare with the current time of the system in order to start the event according to its earliest start time).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Admitted Prior Art with Pinder so to protect transmitted information against unauthorized access (Col. 1, lines 40-45).

Claim 22 is analyzed with respect to claim 20 in which AAAP in view of Pinder further discloses an operation command reserving unit (within a verification unit 2004) configured to prevent the issuance of the command to the decoding unit 2006 according to the verified applicable authorization data (Applicant's specification page 2, lines 18-page 4, lines 5).

Claim 24, an information access control method for use in an information utilization apparatus having a memory which stores information including encoded 1st data, the method is analyzed with respect to claim 20.

Claim 26, an information access control method for use in an information utilization apparatus having a memory which stores information including encoded 1st data, the method is analyzed with respect to claim 22.

Claim 28, a storage medium having program code instruction store thereon which perform information access control when executed by a processor in an information utilization apparatus having a memory which stores information including encoded 1st data, the instruction is analyzed with respect to claim 22.

Claim 30, a storage medium having program code instruction store thereon which perform information access control when executed by a processor in an information utilization apparatus having a memory which stores information including encoded 1st data, the instruction is analyzed with respect to claim 22.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT:ht
09/02/2005

HAI TRAN
PRIMARY EXAMINER